1	TIMOTHY H. BELLAS				
2	Attorney-at-Law Bank of Hawaii Bldg., Suite 203 P.O. Box 502845 Spinger MR 06050				
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4	Telephone: (670) 323-2115; Fax 323-2116				
5	ATTORNEY FOR R (1)				
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8	IN THE UNITED OF ATEC DISTRICT COURT				
9	FOR THE NORTHERN MARIANA ISLANDS				
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11					
	ZHU, LIAN KUN, CIVIL CASE NO. 08-00012				
12	Petitioner, CRIMINAL CASE NO. 03-0	00018			
13	) DECLARATION OF TIME				
14	) MOTION FOR EXTENS				
15	UNITED STATES OF AMERICA, )				
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20	COVIDS NOW, Theoriti II. BBBB to, and states the following.				
21	1. I am an attorney licensed to practice in the CNMI and an officer of	this Court.			
22	<ol><li>I am the CJA appointed attorney for the Petitioner in the above entit</li></ol>	led matter and			
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24	4.				
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1	competent to testify to the matters stated herein, if necessary.		
2	3.	In the course of representing the Petitioner I have made several attempts to contact	
3	him by telephone in the institution in which he is incarcerated.		
4	4.	Such contact has been very difficult because he is in a facility on the East coast of	
5	the U.S. mainland, requiring me to call after 11:30 p.m. or at 5:30 a.m. in order to contact the		
6 7	Petitioner.		
8	5.	While I have not kept actual records of the dates that I have attempted to reach the	
9	Petitioner, I h	ave made more than eight attempts on eight separate dates to contact the Petitioner.	
10	Some of these attempts consisted of more than one call on each date.		
11	6.	The usual process involves calling the main number of the facility and receiving a	
12			
13	voice mail message. I leave a message for the Petitioner's case manager, who was initially a Ms.		
14	Shaw.		
15	7.	At times I have spoken with a person who has redirected my call to the case	
16	manager's extension.		
17	8.	When I reach that number I get the direct voice mailbox of the case manager and	
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19	have left messages there.		
20	9.	As a result of these attempts, I have only been able to actually speak to the	
21	Petitioner once and that was for less than 15 minutes because I was advised that he had to report		
22	for "bed chec	k".	
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1	10.	More recently I was advised that the Petitioner has a new case manager named Ms	
2	D. Magnusson.		
3	11.	After leaving two voice mail messages on April 1st, 2008, I received a return cal	
4	from Ms. Magnusson fifteen minutes later.		
5	12.	She indicated that she would make the Petitioner available for a telephone	
6	conference on April 2, 2008, at 10:00 a.m. CNMI local time. This time would be available		
7	because Ms. Magnusson was working a later shift that day at the facility.		
8			
10	13.	When I expressed concern about reaching her due to my past experience with voice	
11	mail, Ms. Magnusson provided me with her direct telephone number and assured me the Petitione		
12	would be available for the phone conference.		
13	14.	At 10:00 a.m. on April 2, 2008, I called Ms. Magnusson's direct number and got her	
14	voice mail.		
15	15.	I called at 10:20 a.m. and was still unable to reach Ms. Magnusson. I left another	
16	message but never got a return call.		
17	16.	I have also conducted further investigation into the information supplied by the	
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20	17.	I have interviewed a person with alleged had information pertinent to the	
21	Petitioner's grounds for the instant motion.		
22	18.	On the basis of that interview, I am unable to provide any further Declarations under	
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1	penalty of perjury, other than that of Ms. Shi who was the interpreter at the Petitioner's trial and			
2	the time that the alleged conduct was reported to Mr. Matthew Smith.			
3	19. I believe that it would be appropriate for me to discuss the results of m			
4	investigative efforts with the Petitioner prior to submitting this matter to the Court for a ruling.			
5	I declare under penalty of perjury that the matters stated herein are true and correct to th			
6	best of my knowledge and belief and that this Declaration was executed on Saipan, CNMI on the			
7	2 <sup>nd</sup> day of April, 2008.			
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10	Timothy H. Bellas, Declarant			
11	Timothy H. Bellas, Declarant			
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